

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**TRAVIS COLLUM, guardian ad litem  
for unnamed minor child,**

**Plaintiff,**

**vs.**

**CASE NO. 3:07-cv-534-RJC**

**CHARLOTTE-MECKLENBURG  
BOARD OF EDUCATION, ALICISA  
JOHNSON, JIMMIE VANCE GRUBBS,  
and RONALD DIXON,**

**Defendants.**

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**BRANTLEY OSTWALT, Guardian ad  
Litem for unnamed Minor Child,**

**Plaintiff,**

**vs.**

**CASE NO. 3:08-cv-266-GCM**

**CHARLOTTE-MECKLENBURG  
BOARD OF EDUCATION,  
CHARLOTTE MECKLENBURG  
SCHOOLS LAW ENFORCEMENT  
DEPARTMENT, GEMINI INSURANCE  
COMPANY, RONALD DIXON,  
ALICISA JOHNSON, TED PEARSON,  
and GUS WELBORN,**

**Defendants.**

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**THIS MATTER** is before the Court *sua sponte*. Federal Rule of Civil Procedure 42(a) grants the Court authority to consolidate “actions involving a common question of law or fact.” Fed. R. Civ. P. 42(a). The decision to consolidate is committed to the Court’s discretion and

consolidation may be initiated *sua sponte*. See Arnold v. E. Air Lines, Inc., 681 F.2d 186, 193 (4th Cir. 1982). The claims alleged by Plaintiff in these cases arise from a common set of facts—abuse by the same teacher of minor children in the Charlotte Mecklenburg School District. The legal issues presented overlap, the Defendants are identical, and there is a little likelihood of prejudice to any party if the cases are consolidated. Judge Mullen concurs in the consolidation and assignment of these two cases.

**IT IS, THEREFORE, ORDERED** that Plaintiff's civil actions (3:07-cv-534 and 3:08-cv-266) will be consolidated pursuant to Rule 42(a). The Clerk is directed to consolidate civil action number 3:08-cv-266-GCM into the earlier filed related civil action 3:07-cv-534-RJC.

Signed: September 29, 2008

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

